

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) Case No. 8:05CR143
)
 Plaintiff,)
)
 v.) ORDER
)
 MICHAEL FLOYD,)
)
 Defendant.)

Pursuant to NELR § 79.1(c),

IT IS ORDERED that:

1. As soon as possible, but not later than 10 days after a verdict has been rendered, all sensitive exhibits (e.g. firearms, ammunition and/or shells, drugs and paraphernalia, U.S. currency, etc.), whether offered by the government or the defendant(s), shall be withdrawn from the Office of the Clerk by the attorney for the government;
2. The government's attorney shall give a receipt to the Clerk for such exhibit(s);
3. The government's attorney shall maintain custody and control of any withdrawn exhibit in the same state and condition as when the exhibit was offered into evidence until six (6) months after the case has become final and is no longer subject to appellate review, whereupon the government shall file and serve a motion for an order to destroy or otherwise dispose of any such exhibit(s); the opposing party or parties shall have ten (10) days after service to respond to the motion;
4. The government may store the exhibits set forth above at any location within or outside of the District of Nebraska;
5. Until the time provided in paragraph 3 above has expired, an attorney

withdrawing an exhibit shall make the exhibit available to opposing counsel for examination and use by opposing counsel at reasonable times and places upon request of opposing counsel;

6. Until the time provided in paragraph 3 above has expired, at the request of the Clerk, an attorney having custody of an exhibit shall promptly return the exhibit to the Clerk;

7. Notwithstanding the entry of a verdict, this court retains jurisdiction over the parties and the attorneys for purposes of assuring compliance with this order.

DATED this 6th of July, 2005 .

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge